

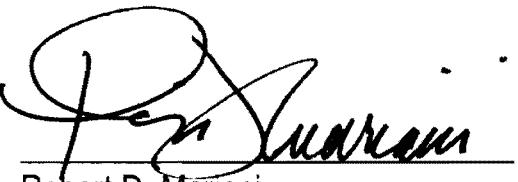
IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JOSE MONTANEZ, :  
Plaintiff, : Civil No. 3:14-cv-1362  
: (Judge Mariani)  
V. :  
MS. TRITT, et al., :  
Defendants. :

ORDER

AND NOW, this 21<sup>ST</sup> day of September, 2015, upon consideration of Defendants' motion (Doc. 25) to dismiss, and for the reasons set forth in the Court's Memorandum of the same date, IT IS HEREBY ORDERED THAT:

1. Defendants' motion (Doc. 25) to dismiss is **GRANTED** in part and **DENIED** in part as follows:
  - a. Plaintiff's claims against Superintendent Brenda Tritt are **DISMISSED** with prejudice. The Clerk of Court is **DIRECTED** to terminate Superintendent Brenda Tritt as a party to this action.
  - b. The motion to dismiss the claims against Lieutenant Joseph Hannon and Sergeant Reed is **DENIED**.
  - c. Plaintiff's claims against the Defendants in their official capacities are **DISMISSED**.
2. Defendants Hannon and Reed are directed to file a responsive pleading within twenty-one (21) days of the date of this Order.



Robert D. Mariani  
United States District Judge